



INFORMATION DISCLOSURE STATEMENT

Applicants:	Daniel Jacobs et al.
Application No.	09/816,641
Filed:	March 22, 2001
For:	Tissue Tension Distribution Device For A Combined Orbital Rim Repair And Suspension Variation
Group Art Unit:	3743
Examiner:	Kathryn P. Odland
Attorney Docket No.:	2502000-991130

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☒ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: June 2, 2004

GRAY CARY WARE & FREIDENRICH LLP

By: 

Alan A. Limbach

Reg. No. 39,749

Attorneys for Applicant(s)

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STATEMENT BY APPLICANT**

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Sheet 1

of 2

Complete if Known

Application Number	09/816,641
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First Named Inventor	Jacobs et al.
Art Unit	3743
Examiner Name	Kathryn P. Odland
Attorney Docket Number	2502000-991130

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code 2 (if known)			
		US- 3,973,277	08/10/76	Semple et al.	
		US- 4,979,956	12/25/90	Silvestrini	
		US- 5,108,422	04/28/92	Green et al.	
		US- 5,571,104	11/05/96	Li	
		US- 5,868,746	02/09/99	Sarver et al.	
		US- 5,931,840	08/03/99	Goble et al.	
		US- 5,950,633	09/14/99	Lynch et al.	
		US- 5,961,520	10/05/99	Beck et al.	
		US- 6,080,192	06/27/00	Demopulos et al.	
		US- 6,106,556	08/22/00	Demopulos et al.	
		US- 6,165,203	12/26/00	Krebs	
		US- 6,328,743	12/11/01	Lerch	
		US- 6,482,232	11/19/02	Boucher et al.	
		US- 6,485,493	11/26/02	Bremer	
		US- 6,485,503	11/26/02	Jacobs et al.	
		US- 6,645,226	11/11/03	Jacobs et al.	
		US- 6,712,830	03/30/04	Esplin	

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T 6
		Country Code 3 Number 4 Kind Code 5 (if known)				
		PCT/US03/18753	06/12/03			

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Number-Kind Code ² (if known)			
		US- D374,286	10/01/96	Geobel et al.	
		US- D462,766	09/10/02	Jacobs et al.	
		US- 09/766,939	01/22/01	Enzerink et al.	
		US- 10/140,897	05/06/02	Jacobs	
		US- 10/170,530	06/12/02	Jacobs et al.	
		US- 10/246,174	09/17/02	Jacobs et al.	
		US- 10/418,325	04/17/03	Jacobs et al.	
		US- 10/418,541	04/17/03	Jacobs	
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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